

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Cindy Beattie

v.

Civil No. 04-cv-098-JD

R & R Safety, Inc.
and William Ricker

O R D E R

Cindy Beattie asks the court to enforce the settlement that has been reached with the pro se defendants, R & R Safety, Inc., and William Ricker. She represents that the United States Bankruptcy Court in the District of Maine ordered Ricker to pay her \$2,282.60 for her unsecured claim based on their settlement of this lawsuit. She also states that Ricker has begun making payments as ordered by the bankruptcy court.

Despite the settlement and the bankruptcy court's order of payment, the defendants have not signed the docket markings to terminate this case. Beattie represents that she contacted the defendants' bankruptcy counsel who forwarded the docket markings to the defendants but received no response. Under these circumstances, it is appropriate to dismiss the case without prejudice, which will allow Beattie to bring a new action in this court, addressing the same subject matter, or to seek appropriate remedies from the bankruptcy court as may be necessary.

Conclusion

For the foregoing reasons, the case is dismissed without prejudice. Plaintiff's motion to request approval of docket markings (document no. 17) is terminated.

The clerk of court shall enter judgment accordingly and close the case.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

August 24, 2006

cc: Leslie H. Johnson, Esquire
William Ricker, pro se